

*JUL 12 2004*  
PATENT & TRADEMARK OFFICE  
U.S. DEPT. OF COMMERCE  
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Date of Deposit: July 12, 2004

**BRINKS  
HOFER  
GILSON  
& LIONE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Baker, et al.

Appln. No.: 09/944,929

Filed: August 31, 2001

For: SECRETED AND TRANSMEMBRANE  
POLYPEPTIDES AND NUCLEIC ACIDS  
ENCODING THE SAME

Attorney Docket No: 10466/140-1 (P2548P1C21)

Examiner: Nancy T. Vogel

Art Unit: 1636

Mail Stop RCE  
Commissioner for Patents  
U.S. Patent and Trademark Office  
P. O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CONTINUED EXAMINATION (37 C.F.R. § 1.114)**

Sir:

Applicant(s) requests continued examination of the above-identified application under 37 C.F.R. §1.114.

- Submission under 37 CFR 1.114 (*check at least one of the following*):
- Previously submitted:  
 Applicant(s) requests nonentry of any previously-filed unentered amendments.  
 Please enter and consider the Amendment After Final Under 37 C.F.R. §1.116 previously filed on \_\_\_\_\_  
 Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
 Other: \_\_\_\_\_
- Attached is/are:  
 An Information Disclosure Statement  
 An Amendment to the written description, claims, or drawings  
 New Arguments and/or New Evidence in support of Patentability  
 Other: \_\_\_\_\_

770.00 D.P.  
00000138 0994929  
07/15/2004 HAL111  
01 FC:1801

Request for suspension of action:

Applicant(s) hereby request suspension of action on the above-identified application under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; requires Processing Fee under 37 C.F.R. §1.17(i)).

 Small Entity Status:

- Applicant hereby asserts entitlement to claim small entity status under 37 CFR §§ 1.9 and 1.27.
- A small entity statement or assertion of entitlement to claim small entity status was filed in prior application no. \_\_\_\_\_ / \_\_\_\_\_ and such status is still proper and desired.
- Is no longer desired.

 Applicant(s) calculate the following fees to be due in connection with this Request:

- A Request fee of \$770.00 under 37 C.F.R. §1.17(e).
- A suspension processing fee of \$\_\_\_\_\_ under 37 C.F.R. §1.17(i).
- An additional filing fee of \$\_\_\_\_\_ under 37 C.F.R. §1.16 (\_\_\_\_\_ additional independent claims and/or \_\_\_\_\_ additional total claims).
- An extension fee of \$420.00 under 37 C.F.R. §1.17(a) for a 2-month extension of time.

 Fee payment to cover the above-enumerated fee(s):

- A check in the amount of \$1,190.00 is enclosed.
- Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$\_\_\_\_\_. A copy of this Request is enclosed for this purpose.
- A payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE). A copy of this Request is enclosed for this purpose.

Respectfully submitted,

12 July 2004  
Date

C. Noel Kaman  
C. Noel Kaman (Reg. No. 51,857)

Attachment(s):



U.S.P.S. EXPRESS MAIL "POST OFFICE TO ADDRESSEE" SERVICE  
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Our Case No. 10466/140  
P2584P1C21

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Kevin P. Baker et al. )  
Serial No.: 09/944,929 ) Examiner: Nancy T. Vogel  
Filing Date: August 31, 2001 ) Group Art Unit No.: 1636  
For: SECRETED AND )  
TRANSMEMBRANE )  
POLYPEPTIDES AND NUCLEIC )  
ACIDS ENCODING THE SAME )

**AMENDMENT AND REQUEST FOR CONTINUED EXAMINATION**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed February 12, 2004, the Applicants respectfully request continued examination in light of the following remarks.

**Remarks** begin on page 2 of this paper.